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IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA

2019 DEC 13 A 10:20

DANIEL ARMENDARIZ

Elmore Correctional Center
Full name and prison name of
Plaintiff(s)

DEBRA P. HACKETT, CLK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

v.

CIVIL ACTION NO. 2:19-cv-1046-WHA
(To be supplied by Clerk of U.S. District
Court)

Commissioner Dunn
Warden Headley
Lt. K. Davis
Officers on Duty Bravo Dorm
Wexford Health Sources Inc.

Name of person(s) who violated your
constitutional rights. (List the names
of all the person.)

I. PREVIOUS LAWSUITS

- A. Have you begun other lawsuits in state or federal court dealing with the same or similar facts involved in this action? YES ☐ No ☒
- B. Have you begun other lawsuits in state or federal court relating to your imprisonment? YES ☐ NO ☒
- C. If your answer to A or B is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit:

Plaintiff(s) _____

Defendant(s) _____

2. Court (if federal court, name the district; if state court, name the county)

3. Docket number _____
4. Name of judge to whom case was assigned _____
5. Disposition (for example: was the case dismissed? Was it appealed? Is it still pending ?) _____
6. Approximate date of filing lawsuit _____
7. Approximate date of disposition _____

II. PLACE OF PRESENT CONFINEMENT Elmore Correctional Center

PLACE OR INSTITUTION WHERE INCIDENT OCCURRED _____

Elmore Correctional Center

III. NAME AND ADDRESS OF INDIVIDUAL(S) YOU ALLEGE VIOLATED YOUR CONSTITUTIONAL RIGHTS.

NAME	ADDRESS
1. <u>Commisioner Dunn</u>	<u>A.D.D.C</u>
2. <u>Warden Headley</u>	<u>A.D.D.C</u>
3. <u>Lt. K. Davis</u>	<u>3520 Marion Spillway Rd, Elmore, AL 36025</u>
4. <u>Officers on Duty Bravo Dorm</u>	<u>3520 Marion Spillway Rd, Elmore, AL 36025</u>
5. <u>Wexford Health Sources Inc.</u>	<u>A.D.D.C</u>
6. <u>(Individual v Official Capacity)</u>	

IV. THE DATE UPON WHICH SAID VIOLATION OCCURRED _____

July or August 2018

V. STATE BRIEFLY THE GROUNDS ON WHICH YOU BASE YOUR ALLEGATION THAT YOUR CONSTITUTIONAL RIGHTS ARE BEING VIOLATED:

GROUND ONE: Deliberate Indifference

8th Amendment Cruel unusual punishment

STATE BRIEFLY THE FACTS WHICH SUPPORT THIS GROUND. (State as best you can the time, place and manner and person involved.)

Inmate Daniel Armendariz was stabbed sixteen times by inmate Ernest white, Commisioner Dunn and Warden Headley failed to address overcrowding and understaffing prior to assault, knowing that these issues create an increase risks to inmate Safety

GROUND TWO: 8th Amendment Cruel and unusual punishment Deliberate Indifference

SUPPORTINGFACTS: Inmate Daniel Armendariz was stabbed Sixteen times in the Back and was hospitalized for two punctured lungs, The officers on Duty the Day OF the Assault in Bravo Dorm knew prior to the Assault that Bravo Dorm had a history of violence and failed to make routine observations and walk Arounds

GROUND THREE:

8th Amendment Cruel and unusual punishment Deliberate Indifference

SUPPORTINGFACTS: Inmate Daniel Armendariz was stabbed sixteen times in the back and was hospitalizrd for two punctured lungs, Lt. K, Davis and Wexford Health Sources Inc. showed deliberate Indifference by Delaying Emergency medical attention, As trained nurses and Lt. Davis as a layperson should know by the number of times I was stabbed and location would require Emergency medical attention,

VI. STATE BRIEFLY EXACTLY WHAT YOU WANT THE COURT TO DO FOR YOU. MAKE NO LEGAL ARGUMENT. CITE NO CASES OR STATUTES.

Nominal Damages \$ 50,000.00

Compensatory Damages \$ 100,000.00

Punitive Damages \$ 200,000.00

InJunction - A.D.O.C and Wexford Health Sources

Inc. to change policy or common practice to inmates
with stab wounds above the waist and head trauma
to be taken to the hospital immediately

Daniel Armentary
Signature of plaintiff(s)

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 11-19-2019
(Date)

Daniel Armentary
Signature of plaintiff(s)

DANIEL ARMSTRONG # 313404 MI-476
Elmore Correctional Center
3520 Marion Spillway Rd.
Elmore, AL 36025

MONTGOMERY AL 360

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U.S. District Court Middle District
Att: Clerk
1st Church Street
Montgomery, AL 36104

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Law Library

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